

From: [Bill Shafford](#)
To: [Susan Spalding/R6/USEPA/US@EPA](#)
Subject: FW: Exide Frisco
Date: 12/18/2012 09:54 AM

Susan:

This went to Terry Johnson in your Air group also. Thanks!

Bill

From: Bill Shafford
Sent: Monday, December 17, 2012 3:24 PM
To: 'Henry Bradbury'
Cc: Terry Johnson
Subject: RE: Exide Frisco

Henry:

I apologize that this has taken so long to get back to you – I was in Dallas Wednesday and Thursday, and was unexpectedly out Friday.

The final Response Action Workplan (RAWP) which was not submitted in conjunction with the closure process but was prepared by Exide to address a specific set of non-compliance issues, was developed over the past several months. During that time period, all or part of the proposed plan was reviewed by multiple areas within the Agency, including the Office of Compliance and Enforcement, the Waste Permits Division, the Remediation Division, the Office of Air, the Toxicology Division, and the Office of Legal Services. The December 7, 2012 plan was the culmination of these previously reviewed submittals.

The RAWP is available to the public. With input from the TCEQ, Exide has developed a public participation plan that includes a series of public meetings as well as an invitation for the public to submit questions or comments through the Exide website. I hope this answers your questions.

Bill

From: Henry Bradbury [<mailto:henrybradbury@gmail.com>]
Sent: Monday, December 10, 2012 4:23 PM
To: Bill Shafford
Cc: Terry Johnson
Subject: Exide Frisco

Hi Bill,
I noted that TCEQ approved on 12/7 the landfill cleanup plan dated 12/7 for Exide's Frisco facility.

I was anticipating that this would be covered under part of the RCRA based closure, and as such that it would include community participation as prescribed under the RCRA program.

Acknowledging that my anticipating this --- was not based on a specific review of regulations and the facts, just a understanding of the issue at hand, and one read of the RCRA public participation requirements.

I understand that the landfill was not permitted as a RCRA facility- but contained RCRA regulated materials from a RCRA facility.

Who would I talk to at TCEQ — to aid me in understanding why this action is not covered under the RCRA public participation requirements?

Thanks,
Henry Bradbury